

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

RUPERT CALVIN BELL and KYLE
NELSON,

Plaintiffs,

v.

TOWNSHIP OF MAPLEWOOD, *et al.*,

Defendants.

Case No. 19-12980 (BRM) (JSA)

ORDER

THIS MATTER is opened to the Court on the Report and Recommendation of the Honorable Jessica S. Allen, U.S.M.J., dated February 7, 2022 (ECF No. 74), wherein she recommends that the Plaintiffs Rupert Calvin Bell and Kyle Nelson's ("Plaintiffs") Second Amended Complaint (ECF No. 63) be dismissed for lack of federal subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(h)(3).

The parties were given the opportunity to respond or object to Judge Allen's Report and Recommendation by February 22, 2022, pursuant to Local Civil Rule 72.1(c)(2); to date, no party has responded or objected to the Report and Recommendation. Having reviewed the Report and Recommendation, and it appearing the Court should adopt the Report and Recommendation without modification;

IT IS on this 23rd day of February 2022,

ORDERED that the Report and Recommendation (ECF No. 74) is hereby adopted in its entirety and entered; and it is further

ORDERED that Plaintiffs' Second Amended Complaint (ECF No. 63) is **DISMISSED WITHOUT PREJUDICE**, and it is finally

ORDERED that this case be marked as **CLOSED**.

/s/ *Brian R. Martinotti*
HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE